

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 1438 - SB 1643

January 24, 2014

SUMMARY OF BILL: Eliminates the exception, for individuals required to operate a motor vehicle with a functioning ignition interlock device, which permits such individuals to operate a motor vehicle without a functioning interlock device in the course of their employment when the vehicle is owned by the employer. Authorizes the issuance of a restricted driver license for a Tennessee resident charged with DUI, whether in this state or in another state, during the period between the date of arrest and the court date, dismissal date, or the acquittal date, when such person applies for the restricted license with any court of the county of the person's residence having jurisdiction to try charges.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – Enactment of this bill will place the Department of Transportation (TDOT) in compliance with federal law. As a result, there will be a shift of use for approximately \$17,994,100 from the Hazard Elimination Program to the National Highway Performance Program and the Surface Transportation Program.

Assumptions:

- According to the Department of Safety and Homeland Security (DOS), this bill could result in fewer restricted driver licenses being issued. However, the Department further indicates that any number would not be significant. Therefore, any fiscal impact related to the issuance of restricted driver licenses is considered not significant.
- Section 6 of the bill authorizes the issuance of a restricted driver license for a Tennessee resident charged with DUI, whether in this state or in another state, during the period between the date of arrest and the court date, dismissal date, or the acquittal date, when such person applies for the restricted license with any court of the county of the person's residence having jurisdiction to try charges.
- DOS indicates that a person's driver license is not revoked until the person is convicted of DUI. Therefore, any such person will still be able to use their regular driver license during the time period proposed. As a result, Section 6 of the bill has no effect on the Department.
- According to the County Technical Assistance Service (CTAS), this bill will not have a fiscal impact to counties.

HB 1438 - SB 1643

- According to the Municipal Technical Advisory Service (MTAS), this bill will have no significant impact to cities.
- According to the Department of Transportation (TDOT), the Department is not currently in compliance with federal laws, rules, and regulations regarding repeat intoxicated driver law. Enactment of this bill will place TDOT in compliance and will permit approximately \$17,994,100 to remain in TDOT's National Highway Performance Program and the Surface Transportation Program, rather than be used by TDOT for the Hazard Elimination Program.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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